

Ilan D. Scharf, Esq. (NY Bar No. 4042107)
Jason S. Pomerantz, Esq. (Admitted *pro hac vice*)
Gail S. Greenwood, Esq. (Admitted *pro hac vice*)
PACHULSKI STANG ZIEHL & JONES LLP
780 Third Avenue, 34th Floor
New York, New York 10017
Telephone: (212) 561-7700
Facsimile: (212) 561-7777

Counsel to Plaintiff RDC Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK**

In re: ROCHESTER DRUG CO-OPERATIVE, INC. Debtor.	Chapter 11 Case No. 20-20230 (PRW)
Advisory Trust Group, LLC, as trustee of the RDC LIQUIDATING TRUST, Plaintiff, v. LAURENCE F. DOUD III, DONALD ARTHUR, STEPHEN GIROUX, CHRISTOPHER CASEY, GARRY MROZEK, RICHARD KLENK, SHERWOOD KLEIN, JOSEPH LECH, BORIS MANTELL, JOSEPH SCOTT MISKOVSKY, and PAUL PAGNOTTA, individually as members of the Debtor's Board of Directors, Defendants.	Adv. Proc. No. 22-02073 (PRW)

SECOND STIPULATION EXTENDING TIME TO ANSWER COMPLAINT

Plaintiff, RDC Liquidating Trust, through its trustee Advisory Trust Group, LLC
(“Plaintiff”), successor in interest to Rochester Drug Co-Operative, Inc., and defendants, Donald

Arthur, Stephen Giroux, and Richard Klenk (collectively, “Defendants,” and together with Plaintiff, the “Parties”), by and through their undersigned attorneys, hereby stipulate:

WHEREAS, on March 8, 2022, Plaintiff filed a complaint (the “Complaint”) against Defendants, and the summons (the “Summons”) was issued on March 9, 2022;

WHEREAS, on or after March 9, 2022, Defendants were served with the Summons and Complaint; and

WHEREAS, on April 1, 2022, the Parties stipulated to an extension of time to answer or otherwise respond to the Complaint through April 30, 2022 that was approved by orders of the Court [Docket Nos. 9, 17].

NOW THEREFORE, the Parties stipulate and agree as follows:

1. Subject to this Court’s approval, Defendants are granted a further extension of time to answer the Complaint until **May 16, 2022**, provided that the Defendants shall file an answer and not otherwise respond by filing a 12(b)(6) motion to dismiss the Complaint.

[Remainder of the Page Intentionally Blank]

2. Defendants do not challenge personal jurisdiction and waive any objection to service of process of the Summons and Complaint in this adversary proceeding.

Respectfully submitted,

Dated: April 26, 2022

PACHULSKI STANG ZIEHL & JONES LLP

/s/ Ilan D. Scharf

Ilan D. Scharf (NY Bar No. 4042107)

Jason S. Pomerantz

Gail S. Greenwood

780 Third Avenue, 34th Floor

New York, NY 10017

Telephone: (212) 561-7700

Email: bsandler@pszjlaw.com

ischarf@pszjlaw.com

jspomerantz@pszjlaw.com

Counsel to Plaintiff RDC Liquidating Trust

Dated: April 27, 2022

KENNEY SHELTON LIPTAK NOWAK LLP

/s/ Jeffrey A. Carlino

Jeffrey A. Carlino

The Calumet Building

233 Franklin Street

Buffalo, NY 14202

Telephone: (716) 853-3801

Email: jacarlino@kslnlaw.com

*Counsel to Defendants Donald Arthur, Stephen
Giroux, and Richard Klenk*

SO ORDERED:

DATED: _____, 2022

Rochester, New York

HON. PAUL R. WARREN

United States Bankruptcy Judge